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Security Council

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Working Group on Children and Armed Conflict

Conclusions on the situation of children and armed conflict in Sri Lanka

1. At its 33rd meeting, on 31 May 2012, the Working Group on Children and Armed Conflict examined the fourth report of the Secretary-General on children and armed conflict in Sri Lanka (S/2011/793), covering the period from 1 February 2009 to 30 June 2011, which was introduced by the Office of the Special Representative of the Secretary-General for Children and Armed Conflict. A representative of the Government of Sri Lanka to the United Nations also addressed the Working Group.

2. The members of the Working Group welcomed the report, submitted in accordance with Security Council resolutions 1612 (2005) and 1882 (2009), and took note of the analysis and recommendations contained therein.

3. They welcomed the progress made by the Government of Sri Lanka with regard to the demobilization and rehabilitation of former child soldiers, and commended the collaboration of the Government with the United Nations in that regard.

4. They acknowledged the policy of the Government on treating children formerly associated with armed groups primarily as victims, in accordance with the commitments Sri Lanka had made with regard to the Paris Principles, and encouraged it to continue to provide psychosocial support to children affected by armed conflict.

5. At the time of the meeting, members expressed concern that some schools remained inaccessible and over the continued threats to children posed by unexploded ordnance, including landmines, in the former conflict areas in Sri Lanka.

6. They stressed the need for accountability for violations and abuses committed against children during the armed conflict and encouraged the Government to further enhance its efforts to combat impunity through the full investigation of such cases and prosecution of perpetrators.

7. The representative of Sri Lanka:

(a) Reaffirmed the continued strong commitment of his Government to the protection of children and to its cooperation with the international community and the Working Group in that regard;

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(b) Highlighted the significant progress made by his country in the areas of resettlement of internally displaced persons, restoration of schools and health facilities, rehabilitation and reintegration of former child soldiers and adult combatants, infrastructure development and restoration of livelihoods through a multi-faceted reconstruction and development programme;

(c) Explained that, based on the recommendations of the Lessons Learned and Reconciliation Commission, his Government would address reconciliation, confidence-building issues and accountability in areas formerly affected by the conflict. He highlighted that the Sri Lanka National Child Protection Authority was doing significant work in the area of child protection and that the National Action Plan for the Protection and Promotion of Human Rights contained provisions dedicated to the promotion and protection of the rights of women and children;

(d) Recalled important legislative steps taken to criminalize child recruitment and highlighted the rehabilitation and reintegration programme of the Government, which was based on the Paris Principles and the Convention on the Rights of the Child. He explained that, under the programme, 594 former child combatants had been placed in institutional rehabilitation and had received access to basic education, vocational training, health care and psychosocial support and subsequently had been reintegrated into their communities, thus treating the children as victims and not as perpetrators. He further stressed that the establishment of a tripartite action plan with the United Nations Children's Fund (UNICEF) had led to the release of all child combatants of the Tamil Makkal Viduthali Pulikal. He also underlined that progress was being made in child tracing and family reunions by the Family Tracing and Reunification Centre, established by the Government in partnership with UNICEF;

(e) Underlined the progress made in the criminal investigations of unresolved cases relating to five children and called upon the Security Council and the Working Group to entirely delist his country from annex II to the report of the Secretary-General, on the basis of a fair and holistic assessment of the progress made by Sri Lanka and in the absence of any armed conflict in the country.

8. Further to the meeting, and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolutions 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012), the Working Group agreed to the direct action below.

Recommendations to the Security Council

9. The Working Group made the following recommendations to the Security Council:

Letter to the Government of Sri Lanka

(a) *Welcoming* recent positive developments in Sri Lanka that have led to the delisting of all parties to the armed conflict in Sri Lanka from annex II to the report of the Secretary-General, including the fact that no new cases of recruitment of children by armed groups have been reported since October 2009 and commending the strong commitment of the Government to taking the necessary measures to rehabilitate and reintegrate children formerly associated with armed groups and to taking steps to trace missing children;

(b) *Encouraging* the Government to further strengthen the Family Tracing and Reunification Centre as a coordinated and comprehensive child-tracing network in the former conflict areas of the country and to strengthen the efforts of the Government to establish the whereabouts of all missing children who had been recruited by armed groups during the armed conflict, including those now over the age of 18 and whose fate remains unknown;

(c) *Welcoming* the reconciliation process and the establishment of the Lessons Learned and Reconciliation Commission; noting the presentation of its report; urging, in that context, the Government to continue to investigate violations and abuses against children by all parties perpetrated in contravention of applicable national and international law during the armed conflict; and also urging the Government to ensure that those responsible for violations and abuses committed during the armed conflict are held accountable;

(d) *Urging* the Government to continue to ensure effective implementation of its "zero tolerance" policy on child recruitment, including through continued investigations of each reported case of recruitment by all armed groups, followed by prosecutions of those responsible, and to ensure appropriate follow-up to the report of the National Child Protection Authority on Iniya Bharathi;

(e) *Commending* the efforts of the Government in the area of rehabilitation and reintegration of children affected by armed conflict, including through the provision of education, vocational training, health care and psychosocial support, and further encouraging the Government to continue to address outstanding protection and psychosocial issues.

Recommendations to the Secretary-General

10. The Working Group encouraged the Secretary-General to provide, at the request of the Government of Sri Lanka, the assistance of the United Nations to support efforts to provide child protection services for children affected by the conflict, including psychosocial support, community-based support and social infrastructure.

Direct action by the Working Group

11. The Working Group also agreed that letters should be addressed from the Chair:

To the World Bank and donors

Encouraging the donors, working alongside the United Nations system, to support the efforts of the Sri Lankan authorities regarding the return and reintegration of children formerly associated with armed groups into their respective families and communities.